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DOCKET NO. AB-379U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Overstreet  
Serial No.: 10/698,098  
Filed: October 31, 2003  
For: Method and System for Generating a Cochlear Implant Program Using Multi-Electrode Stimulation to Elicit the Electrically-Evoked Compound Action Potential  
Group Art Unit: 3762  
Examiner: Kristen L. Droesch

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
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8/13/2004 Victoria Aguilera  
Date Victoria Aguilera

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

Submitted herewith is PTO/SB/08 containing a list of items that are being disclosed to the U.S. Patent & Trademark Office (PTO) pursuant to 37 C.F.R. 1.56, 1.97 and 1.98.

This application claims the benefit of United States Provisional Patent Application Serial Number 60/425,208, filed November 8, 2002.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made. See 37 C.F.R. §1.97(g).

IDS  
10/698,098  
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Further, the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b). See 37 C.F.R. §1.97(h).

All of the items listed on PTO/SB/08 are in the English language.

Respectfully submitted,



Bryant R. Gold  
Reg. No. 29,715

Dated: 8/13, 2004

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PTO/SB/08A (10-01)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

control number.

Substitute for form 1449A/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			Application Number	10/698,098	
			Filing Date	October 31, 2003	
			First Named Inventor	Overstreet	
			Art Unit	3762	
			Examiner Name	Kristen L. Droesch	
Sheet	1	of	2	Attorney Docket Number	AB-379U

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	US-3,751,605	08-07-1973	Michelson	
	A2	US-4,400,590	08-23-1983	Michelson	
	A3	US-4,495,384	01-22-1985	Scott, et al.	
	A4	US-4,819,647	04-11-1989	Byers, et al.	
	A5	US-5,603,726	02-18-1997	Schulman, et al.	
	A6	US-5,626,629	05-06-1997	Faltys, et al.	
	A7	US-5,938,691	08-17-1999	Schulman, et al.	
	A8	US-6,067,474	05-23-2000	Schulman, et al.	
	A9	US-6,078,838	06-20-2000	Rubinstein	
	A10	US-6,129,753	10-10-2000	Kuzma	
	A11	US-6,157,861	12-05-2000	Faltys, et al.	
	A12	US-6,195,585-B1	02-27-2001	Karunasiri, et al.	
	A13	US-6,205,360-B1	03-20-2001	Carter, et al.	
	A14	US-6,208,882-B1	03-27-2001	Lenarz, et al.	
	A15	US-6,219,580-B1	04-17-2001	Faltys, et al.	
	A16	US-6,249,704-B1	06-19-2001	Maltan, et al.	
	A17	US-6,289,247-B1	09-11-2001	Faltys, et al.	
	A18	US-6,295,467-B1	09-25-2001	Kollmeier, et al.	
	A19	US-6,415,185-B1	07-02-2002	Maltan	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code <sup>3</sup>	-Number <sup>4</sup> -	-Kind Code <sup>5</sup> (if known)		
	A20	WO-03/015863-A2			02-27-2003	Overstreet

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.  
<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.  
 Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			Application Number	10/698,098
			Filing Date	October 31, 2003
			First Named Inventor	Overstreet
			Group Art Unit	3762
			Examiner Name	Kristen L. Droesch
			Attorney Docket Number	AB-379U
Sheet	2	of	2	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A21	RUBINSTEIN et al., "The Neurophysiological Effects of Simulated Auditory Prosthesis Simulation" Second Quarterly Progress Report NO1-DC-6-2111	
	A22	van WIERINGEN, et al., "Comparison of Procedures to Determine Electrical Stimulation Thresholds in Cochlear Implant Users", Ear and Hearing, Vol. 22(6), (2001), pages 528-538.	
	A23	ZENG, et al., "Loudness of Simple and Complex Stimuli in Electric Hearing", Annals of Otology, Rhinology & Laryngology, Vol. 104 (9), pages 235-238.	
OTHER PRIOR ART - RELATED APPLICATIONS			
	A24	OVERSTREET and FALTYS inventors for AB-254U; U.S. Patent Application Serial No. 10/218,645; filed August 13, 2002; entitled "Cochlear Implant and Simplified Method for Fitting Same".	
	A25	FALTYS inventor for AB-257U; U.S. Patent Application Serial No. 10/218,616; filed August 13, 2002; entitled "Bionic Ear Programming System".	
	A26	SEGEL, OVERSTREET, KRUGER, and MISHRA inventors for AB-313U; U.S. Patent Application Serial No. 10/651,653; filed August 29, 2003; entitled "System and Method for Fitting a Cochlear Implant Sound Processor Using Alternative Signals".	
	A27	OVERSTREET inventor for AB-362U; U.S. Patent Application Serial No. 10/647,372; filed August 25, 2003; entitled "Enhanced Methods for Determining Iso-Loudness Contours for Fitting Cochlear Implant Sound Processors".	
	A28	MALTAN, MILLER, and HARRISON inventors for AB-376U; U.S. Patent Application Serial No. 10/662,615; filed September 30, 2003; entitled "Cochlear Implant Sound Processor with Permanently Integrated Replenishable Power Source".	
	A29	OVERSTREET, LITVAK, and FALTYS inventors for AB-378U; U.S. Patent Application Serial No. 10/698,097; filed October 31, 2003; entitled "Multi-Electrode Stimulation to Elicit Electrically-Evoked Compound Action Potential."	

Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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